

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ASHTON W. THOMAS,

Plaintiff,

v.

NORTHWEST IMMIGRATION  
DETENTION CENTER, *et al.*,

Defendants.

CASE NO. 3:20-cv-05039-RJB-JRC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER: the Court adopts the Report and Recommendation. All claims are dismissed except the claim against defendant Kevin Wilks, which survives.

The dismissal of the claims against defendant Neil Clark is with leave to amend. Plaintiff may amend his complaint regarding the claims against defendant Clark to cure the deficiencies noted in the Court's Order and if he does so, shall file his amended complaint **within thirty (30) days from the date of this Order.** Plaintiff must also include his claims against defendant Wilks if plaintiff chooses to file an amended complaint, since an amended

1 complaint supersedes the original complaint. Plaintiff does *not* have leave to amend his claims  
2 against defendants GEO Group and Northwest Immigration Detention Center.

3 The Clerk shall send a copy of this order to plaintiff and Judge Creatura. The Clerk shall  
4 terminate all defendants other than defendant Wilks from this action.

5 Dated this 6<sup>th</sup> day of October, 2020.

6 

7 ROBERT J. BRYAN  
8 United States District Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24